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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,215	11/18/2003	Valerie Kucharewski	06975-472001	2245
26171	7590	08/20/2007		
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER BHATIA, AJAY M	
			ART UNIT 2145	PAPER NUMBER
			MAIL DATE 08/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/715,215

Applicant(s)

KUCHAREWSKI ET AL.

Examiner

Ajay M. Bhatia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 7/3/07.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bates (US 6247043).

For claim 1, a method for enabling management of contacts, the method comprising:

passively recognizing that a set of contacts are, as a group, repeatedly sent communications by a member; (Bates, Col. 15 lines 42-57, threshold)

identifying, to the, member the set of contacts that has been passively recognized as a set of contacts that are, as a group repeatedly sent communications by the member; (Bates, Col. 17 lines 10-20, group)

based on passively recognizing that the set of contacts are, as a group, repeatedly sent communication by the member, generating a contacts list that includes the set of contacts and

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that is useful in addressing future communications to the set of contacts as a group; (Bates, Col. 17 lines 10-20, group)

enabling the member to associate a name with the contact list; (Bates, Col. 8 lines 15-22, name)

and enabling the member to address future communications to the set of contacts, as a group, through use of the name associated by the member with the, contact list. (Bates, Col. 15 lines 42-57, threshold)

For claim 2, Bates teaches, the method of claim 1, wherein the passively recognizing that the set of contacts are, as a group, repeatedly sent communications by the member comprises:

storing communications sent by the member during a period of time; (Bates, Col. 15 lines 42-57, threshold)

examining the communications sent by the member during the period of time; (Bates, Col. 15 lines 42-57, threshold)

and identifying that the set of contacts was sent at least a minimum number of communications by the member during the period of time. (Bates, Col. 15 lines 42-57, threshold)

For claim 3, Bates teaches, the method claim 1 wherein the passively recognizing that the set of contacts are, as a group, repeatedly sent communications by the member comprises:

storing a predetermined number of communications sent by the member; (Bates, Col. 15 lines 42-57, threshold)

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examining the predetermined number of communications sent by the member; (Bates, Col. 15 lines 42-57, threshold)

and identifying that the set of contacts was sent at least a minimum number of communications out of the predetermined number of communications by the member. (Bates, Col. 15 lines 42-57, threshold)

For claim 4, Bates teaches, the method of claim 1 further comprising enabling the member to accept or to reject contacts list. (Bates, Col. 10 line 60 to Col. 11 line 14, search)

For claim 5, Bates teaches, the method of claim 4 further comprising enabling the member to assign a unique identifier to the contacts list. (Bates, Col. 8 lines 15-22, name)

For claim 7, Bates teaches, the method of claim 1 wherein enabling the member to address future communications to the set of contacts through use of the name associated by the member with the list of contacts through use of the name associated by the member with the list of contacts comprises enabling the member to address future communications to the set of contacts from multiple applications through the use of the name associated by the member with the list of contacts. (Bates, Col. 17 lines 10-20, group)

For claim 8, Bates teaches, the method of claim 7 wherein the multiple applications include communications applications. (Bates, Col. 13 lines 31-45, email)

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For claim 9, Bates teaches, the method of claim 8 wherein the communications applications include an e-mail application and at least one application other than an e-mail application.

(Bates, Col. 13 lines 31-45, email)

For claim 11, Mathew teaches, the method of claim 8 wherein the communications application include a digital image sharing application and at least one application other than a digital image sharing application. (Mathew, Col. 16 lines 35-42, image)

For claim 12, Bates teaches, the method of claim 8, wherein the communications applications include an alerting application that sends alerts and reminders to users and at least one application other than an alerting application that sends alerts and reminders to users. (Bates, Col. 18 lines 20-27, alert)

For claim 13, Bates teaches, the method of claim 8 wherein the communications applications include an application for sharing and exchanging contact information and at least one application other than an application for sharing and exchanging contact information. (Bates, Col. 18 lines 35-67, messaging groups)

For claim 14, Bates teaches, the method of claim 7 wherein the multiple applications include other sharing applications. (Bates, Col. 16 lines 35-45, image)

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For claim 15, Bates teaches, the method of claim 14 wherein the other sharing applications include an electronic calendar application and at least one application other than an electronic calendar application. (Bates, Col. 1 lines 45-55, calendar, Col. 7 lines 15-40, groupware)

For claim 16, Bates teaches, the method of claim 14 wherein the other sharing applications include an electronic journal application and at least one application other than an electronic journal application. (Bates, Col. 7 lines 15-40, groupware)

For claim 19, Bates teaches, an apparatus comprising a computer readable medium having instructions stored thereon that when executed by a machine result in at least the following:

passively recognizing that a set of contacts are, as a group, repeatedly sent communications by a member; (Bates, Col. 15 lines 42-57, threshold)

identifying, to the member, the set of contacts that has been passively recognized as a set of contacts that are, as a group, repeatedly sent communications by the member; (Bates, Col. 17 lines 10-20, group)

based on passively recognizing that the set of contacts are, as group, repeatedly sent communications by the member, generating a contact list that includes that set of contacts and that is useful in addressing future communications to the set of contacts as a group; (Bates, Col. 17 lines 10-20, group)

enabling the member to associate a name with the contacts list; (Bates, Col. 8 lines 15-22, name)

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and enabling the member to address future communications to the set of contacts, as a group, through use of the name associated by the member with the contact list. (Bates, Col. 17 lines 10-20, group)

For claim 20, Bates teaches, a system of enabling management of contacts comprising:

means for passively recognizing that a set of contacts are, as a group, repeatedly sent communications by a member; (Bates, Col. 15 lines 42-57, threshold)

means for identifying, to the member, the set of contacts that has been passively recognized as a set of contacts that are, as a group, repeatedly sent communications by the member; (Bates, Col. 17 lines 10-20, group)

means for generating a contact list that includes the set of contacts based on passively recognizing that the set of contacts are, as a group, repeatedly sent communications by the member, the contacts list being useful in addressing future communications to the set of contacts as a group; (Bates, Col. 15 lines 42-57, threshold)

means for enabling the member to associate a name with the contact list; (Bates, Col. 17 lines 10-20, group)

and means for enabling the member to address future communications to the set of contacts, as a group, through the name associated by the member with the contacts list. Bates, Col. 8 lines 15-22, name)



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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Mathew (US 2004/0003071).

For claim 10, Bates teaches, the method of claim 8 wherein the communications applications and at least one application other than an instant messaging application. (Bates, Col. 7 lines 15-40, groupware)

Bates fails to clearly disclose, instant messaging application

Mathew teaches, instant messaging application ((balh2), paragraph 44)

both Bates and Mathew are in the field of electronic communications

Bates and Mathew are compatible systems

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to add parental control and instant messaging to the system of Bates in order to provide protection for children (Mathew, paragraph 3)

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For claim 17, Bates teaches, the method of claim 14 wherein the other sharing applications include an e-mail filter application and at least one application other than an e-mail filtering applications. (Bates, Col. 7 lines 15-40, groupware)

Bates fails to clearly disclose, e-mail filter

Mathew teaches, e-mail filter (Mathew, paragraph 44)

both Bates and Mathew are in the field of electronic communications

Bates and Mathew are compatible systems

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to add parental control and instant messaging to the system of Bates in order to provide protection for children (Mathew, paragraph 3)

For claim 18, Bates teaches, the method of claim 14 wherein the other sharing applications include an application that enables the specification and at least one application other than an application that enables the specification of parental controls over a child account. (Bates, Col. 7 lines 15-40, groupware)

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Bates fails to clearly disclose, parental controls

Mathew teaches, parental controls (Mathew, paragraph 44)

both Bates and Mathew are in the field of electronic communications

Bates and Mathew are compatible systems

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to add parental control and instant messaging to the system of Bates in order to provide protection for children (Mathew, paragraph 3)

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Notice of references cited (if appropriate).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

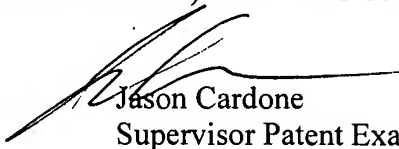
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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jason Cardone  
Supervisor Patent Examiner  
Art Unit 2145

